

**UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF OHIO**

HILDA L. SOLIS, Secretary of Labor,
U.S. Department of Labor,

Plaintiff,

V.

LAKEWOOD MANUFACTURING
COMPANY, et. al.,

Defendants,

KEITH F. LEWANDOWSKI, SR., et. al.,

Plaintiffs,

V.

RICHARD C. PEPLIN, JR., et. al.,

Defendants,

BARBARA L. KILBURG, et. al.,

Plaintiffs,

V.

LAKEWOOD MANUFACTURING COMPANY
PROFIT SHARING PLAN, et. al.,

Defendants.

**ORDER RE: MOTION TO MODIFY STIPULATED ORDER RELATING TO THE
LIQUIDATION AND DISPOSITION OF REAL PROPERTY AND
ASSETS OF 42 HARRISON LLC AND DISMISSAL AS TO
DEFENDANT BETH M. PEPLIN**

On February 6, 2004, the parties entered into a Stipulated Order Relating to the Liquidation and Disposition of Real Property and Assets of 42 Harrison LLC and of Dismissal as to Defendant

Beth M. Peplin (“Stipulated Order”) which required that the property of 42 Harrison LLC (the “LLC”) be sold and half of the net sale proceeds along with half of all money in the LLC’s operating account be given to the participants of the Lakewood Manufacturing Company Profit Sharing Plan (“the Plan”).

Since the property has not been sold and the participants understand the probability there will be little to no proceeds if the property were to sell, the participants of the Plan have agreed to forfeit their interest in the property of the LLC and the LLC’s operating account. The Secretary of Labor has moved to modify the Stipulated Order so that the Plan forfeits its beneficial interest in the property of the LLC and the LLC’s operating account as referred to in Paragraph 18 of the Stipulated Order. After considering the Secretary’s motion and accompanying exhibits,

IT IS ORDERED that the Stipulated Order be modified so that the Plan forfeits its beneficial interest in the property of the LLC and the LLC’s operating account.

s/Christopher A. Boyko

JUDGE CHRISTOPHER A. BOYKO
UNITED STATES DISTRICT COURT JUDGE

August 18, 2009